(3)

(1)

cf 100/-

**IN THE HIGH COURT OF CHHATTISGARH JUDICATURE AT BILASPUR**

Writ petition no. 1783 /2002

Petitioner - Lahiri Multipurpose Higher Secondary School Samiti, Chirmiri Distt. Korea through its secretary Naseeruddin @ Nasir Khan s/o. Ameer Hussain Khan, aged about 53 years.

P.R. No. 1788
Presented by Shrimati Lavlata Tiwari
dated 29-8-2002

**VERSUS**

Respondants : 1. Secretary Chhattisgarh Govt. of Chhattisgarh through secretary commerce and industries department.

2. Registrar, firms and socities, Anupam Nagar, Raipur C.G.

3. General Manager, Commerce & industries department. Distt. Korea

**WRIT PETITION UNDER ARTICLE 226,227 OF CONSTITUTION OF INDIA FOR ISSUANC OF WRIT IN THE NATURE OF MANDAMOUS, CERTIORARI OR ANY OTHER DIRECTION**

(79)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

**आदेश पत्रक**

मामला क्रमांक WP No. 1783/ सन् 2002

..... विरुद्ध .....

| आदेश का दिनांक आदेश क्रमांक सहित | आदेश हस्ताक्षर सहित | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|

**06/05/2005**

**Smt. Hamida Siddiqui, Counsel for the petitioner.**

**Shri Pankaj Shrivastava, Panel Lawyer for respondent/ State.**

**Heard.**

**To appraise the present position of the society and the proceeding initiated in pursuance of the order Annexure P/1, none of the parties filed any application or affidavit.**

**Heard on admission and M.W.P.No.850/2002.**

**Lahiri Multipurpose Higher Secondary School Samiti, Chirmiri, Dist. Korea, is a registered society. A charge-sheet has been served on the society by the respondent along with show cause notice dated 02/03/2002 and the same was replied by the society. In written reply the society mainly contended that whatever allegations/irregularities have been made, are not permanent in nature and can be cured. The society also averted that if the Governing Body is dissolved, they have no objection.**

**After consideration the State Government vide order dated 12/07/2002 dissolved the Governing Body and appointed the General Manager, District Commerce and Industry Department, Korea to manage the affairs of the society for one year or till the coming into existence of duly elected new body, whichever is earlier. The said order has been challenged.**

(पीछे देखिये)

(20)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

**आदेश पत्रक**

मामला क्रमांक WP 1783 सन् 200 2

..... विरुद्ध .....

| आदेश का दिनांक आदेश क्रमांक सहित | आदेश हस्ताक्षर सहित 2 | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|

The period of one year has already expired long before and if the period has been extended by the Government, in that case also after the election and coming into existence of the new Governing Body, the impugned order will loose its force.

The impugned order has been passed after consideration of the reply that too considering no objection. The period of one year as enumerated in the impugned order has already been expired. In case as a result of the extension of the impugned order, the said order is in force, if new Governing Body after election comes into existence, grievance raised against it shall come to an end.

It is directed that if the impugned order has been extended for further period and is still operative, the concerned authority shall hold election for constituting the Governing Body in accordance with law as early as possible, preferably within the extended period.

With the aforesaid direction, this petition is disposed of.

In the light of the above order, M.W.P.No.850/2002 and I.A.Nos. 5831/2002 and 533/2004 also stand disposed of.

Parties are entitled for certified copy of this order.

Sd//-
V.K.Shrivastava
Judge

raju

(पीछे देखिये)